

Michigan Department of Environmental Quality



Waste Management Division

SOLID WASTE DISPOSAL AREA OPERATING LICENSE

This license is issued under the provisions of Part 115 Solid Waste Management of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.11501 et seq., (Part 115), to authorize the operation of the solid waste disposal area (Facility) in the State of Michigan. This license does not obviate the necessity of obtaining other clearances and permits as may be required by state law.

FACILITY NAME: Whitelake Landfill Inc.

GRANTED TO: Whitelake Landfill Inc.

TYPE OF FACILITY: Type II Landfill

FACILITY ID: 61-000027

COUNTY: Muskegon

LICENSE NUMBER: 8560

ISSUE DATE: September 17, 1998

EXPIRATION DATE: September 17, 2000

FACILITY DESCRIPTION: The Whitelake Landfill Inc., consists of 97 acres located in the N ½ of the NE ¼ of Section 27, T12N, R17W, and the E ½ of the SE ¼ of Section 22, Whitehall Township, Muskegon County, Michigan, as identified in Attachment A and fully described in this license.

AREA AUTHORIZED FOR DISPOSAL OF SOLID WASTE: Portions of Phase V, totaling 12.27 acres.

RESPONSIBLE PARTY TO CONTACT: Mr. John Prusko
Whitelake Landfill Inc.
3278 Colby Road
Whitehall, Michigan 49461
616-893-8904

☒ **RENEWAL OPERATING LICENSE:** This License Number 8560 supersedes and replaces Solid Waste Disposal Area License Number 8376 issued to White Lake Landfill, Inc., on June 21, 1996.

This license is subject to revocation by the Director of the Michigan Department of Environmental Quality (Director) if the Director finds that the disposal area is not being constructed or operated in accordance with the approved plans, the conditions of a permit or license, this act, or the rules promulgated under this act. Failure to comply with the terms and provisions of this license may result in legal action leading to civil and/or criminal penalties as stipulated in Part 115. This license shall be available through the licensee during the entire effective date and remains the property of the Director.

THIS LICENSE IS NOT TRANSFERABLE.


Joan H. Peck, Chief, Solid Waste Program Section
Waste Management Division

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The licensee shall comply with all terms of this license and the provisions of Part 115 and its rules. This license includes the license application and any attachments to this license.

1. The licensee shall operate the Facility in a manner that will prevent violations of any state or federal law.
2. The following portions of the Facility are authorized to receive solid waste by this license:
 - a. ☒ **EXISTING UNIT(S) OR PORTIONS OF AN EXISTING UNIT:** The cells identified as portions of the north, south, and overfill of Phase V, totaling 12.27 acres, received solid waste as of October 9, 1993.
 - b. ☐ **LATERAL EXTENSIONS OF AN EXISTING UNIT:** N/A
 - c. ☐ **NEW UNIT(S):** N/A
3. The following portions of the Facility are **NOT** authorized to receive solid waste by this license:
 - a. ☒ **CLOSED UNIT(S) OR A CLOSED PORTION OF A UNIT:** The following unit(s) are closed:
 - i. ☒ **PRE-EXISTING UNIT(S):** The unit(s) identified as Phases I, II, III, and IV, totaling 12.3 acres, had final closure certified on October 1991.
 - ii. ☐ **EXISTING UNIT(S):** N/A
 - b. ☒ **UNCLOSED CELL(S):** The cells identified as portions of the south and overfill of Phase V, totaling 6.18 acres, are at final grade but have not had final closure certified.
 - c. ☐ **UNCONSTRUCTED CELL(S):** N/A
4. The attached map (Attachment A) shows the facility, the area permitted for construction, monitoring points, leachate storage units, site roads, and related appurtenances.
5. Issuance of this license is based on the assumption that the information submitted in the Application for Solid Waste Disposal Area License (Application) received by the Michigan Department of Environmental Quality (Department) on June 19, 1998, and any subsequent amendments is accurate. Any material or intentional inaccuracies found in this information may be grounds for the revocation or modification of this license or other enforcement action. The licensee shall inform the Department's Waste Management Division, Grand Rapids District Supervisor, of any known material or intentional inaccuracies in the information of the Application which would affect the licensee's ability to comply with the applicable rules or license conditions.
6. This license is issued based on the Department's review of the Application for the Whitelake Landfill Inc., dated June 19, 1998. The Application consists of the following:
 - a. Application, Form EQP 5507 (4/97).
 - b. Fee in the amount of \$2,500.00.

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c. Certification of construction by Rose & Westra, Inc., dated December 19, 1995.

d. Restrictive Covenant.

☒ **NO RESTRICTIVE COVENANT:** The restrictive covenant dated July 3, 1990, was not included with this application as it was filed with the county register of deeds on October 19, 1990, and recorded as Liber 1541, pages 243-248.

e. Financial Assurance:

- i. Financial Assurance Required: The Facility has provided financial assurance totaling \$1,805,258.00 based on the requirements of Section 11523 of Part 115, consisting of a combination of the Perpetual Care Fund (PCF) established under Section 11525 and a Surety Bond. The amount of financial assurance required for this facility was calculated based on the worksheet entitled, "Form A Financial Assurance Required," and is \$1,447,229.90.
- ii. Financial Assurance Provided via PCF: The amount of the required financial assurance can be reduced pursuant to Section 11524 of Part 115, if the amount of money in the PCF plus the amount of reduced financial assurance equals the amount of financial assurance required by Section 11523 and approved by the Department. A PCF Trust Agreement for this Facility was signed by Whitelake Landfill Inc., and the Department on April 23, 1997. Based on a statement from Huntington Bank showing a balance of \$715,169.00 in the Facility's PCF fund on March 31, 1998, the Department has granted the request to use the full amount toward the amount of financial assurance required.
- iii. Financial Assurance Provided by Surety Bond: The following financial instrument has been received from the applicant:

<u>Type</u>	<u>Number</u>	<u>Amount</u>	<u>Expiration Date</u>
Surety Bond	121730	\$1,090,089.00	June 17, 1999

- iv. Surety Bond Financial Assurance Updates Required: Financial assurance cost estimates and the corresponding amount of financial assurance must be adjusted annually for the costs of inflation. A financial assurance update, as adjusted for inflation, is due on September 17, 1999.

f. ☐ **WASTE CHARACTERIZATION:** N/A

7. The following documents approved with Construction Permit Number 0245 issued to White Lake Landfill, Inc., on September 4, 1991, are incorporated in this license by reference (if the documents have been amended and approved, the latest date of revision is listed):

- a. "Landfill Construction Permit Application Documents For White Lake Landfill Phase V Type II Material," February 1989, consisting of a Hydrogeological Study, Groundwater Monitoring Plan, Leachate Management Plan, and Landfill Design.
- b. "Environmental Assessment for Phase V Development, White Lake Landfill," July 1988.

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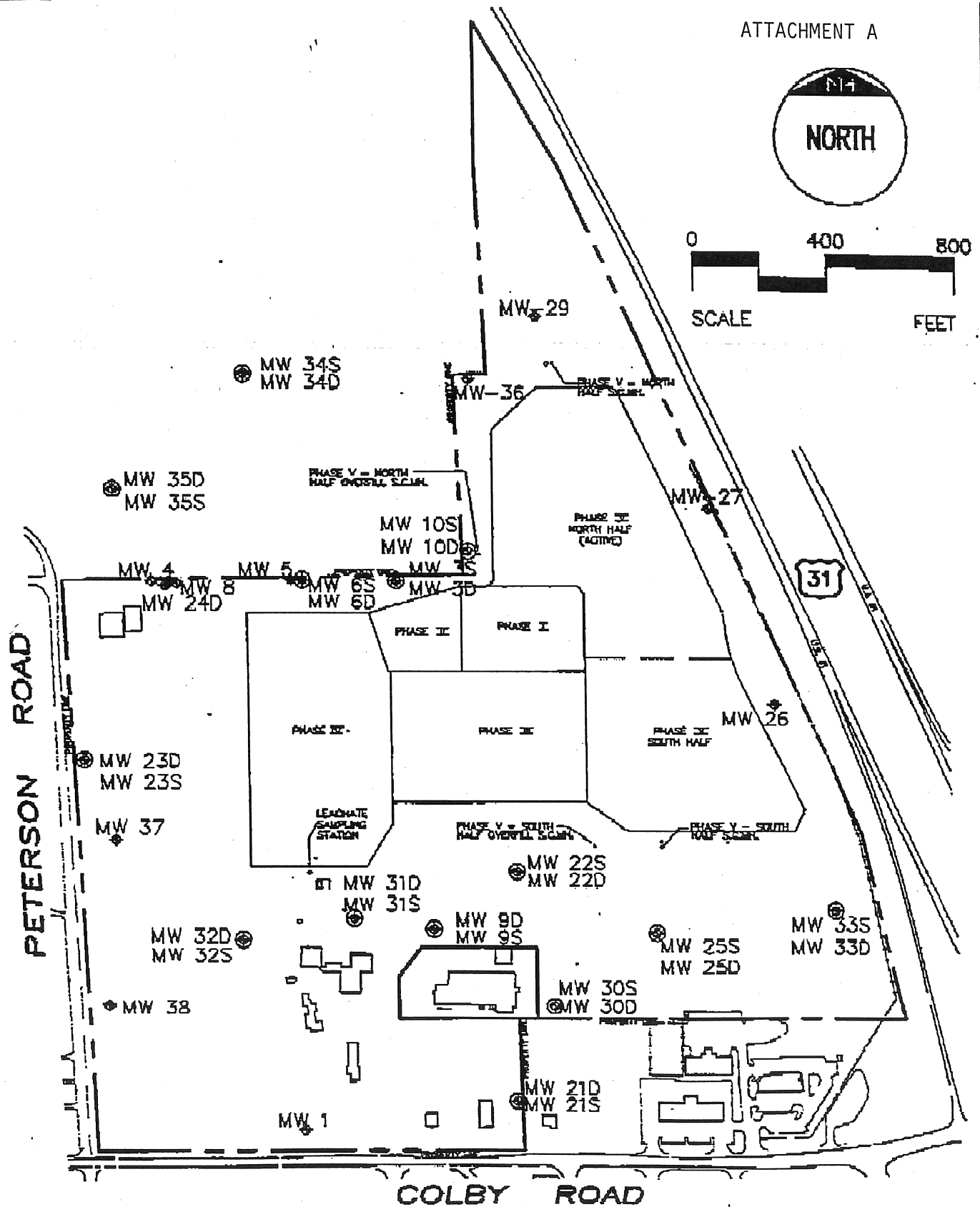
8. The following additional documents, approved since the issuance of the construction permit(s) referenced in Item 7 above, are incorporated in this license by reference:
- a. "Hydrogeological Monitoring Plan for White Lake Landfill, Inc., Phase V," prepared by Rose & Westra, Inc., and dated February 25, 1997.
 - b. "The Revised Closure Plan and Engineering Report for White Lake Landfill, Whitehall, Michigan," prepared by Golder Construction Services, Inc. dated August 4, 1998.
9. ☒ **CONSENT JUDGMENT/ORDER:** The Consent Decree file #94-32334-CE, entered on June 21, 1996, and Consent Order #WMD 115-03-98 entered on September 17, 1998, are incorporated into this license by reference.
10. The licensee shall repair any portion of the certified liner or leachate collection system which is found to be deficient or damaged during the term of this license unless determined otherwise by the Department; or unless the placement of waste consistent with normal operating practices makes it impractical.
11. The licensee shall have repairs to any portion of the certified liner or leachate collection system recertified by a registered professional engineer and approved by the Department before receiving waste in that portion of the certified liner or leachate collection system in accordance with R 299.4921. The licensee shall submit the recertification to the Department's Waste Management Division, Grand Rapids District Supervisor, for review and approval.
12. Hydrogeological Monitoring
- ☒ **HYDROGEOLOGICAL MONITORING PLAN IS APPROVED AND IN COMPLIANCE:** The licensee shall conduct hydrogeological monitoring in accordance with the approved hydrogeological monitoring plan dated February 25, 1997.
- The sampling analytical results shall be submitted to the Department's Waste Management Division, Grand Rapids District Office.
13. Secondary Collection System
- a. ☐ **ACTION FLOW RATE FOR A SCS:** N/A
 - b. ☒ **ACTION FLOW RATE FOR A SCS USED AS A LEAK DETECTION SYSTEM:** The active portions of the units authorized to receive waste by this license contain a secondary collection system that is also a leak detection system. The action flow rate is 50 gallons/acre/day.
 - c. ☐ **BASELINE CONCENTRATION:** A baseline concentration of constituents in the secondary collection system has been established.
 - d. ☐ **A SECONDARY COLLECTION SYSTEM IS NOT REQUIRED.**
14. **VARIANCES:** None


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15. **SPECIAL CONDITIONS:** Upon issuance of this license, the licensee shall review the restrictive covenants of White Lake Landfill, Inc., to assure that the restrictive covenants include/identify all applicable land areas at the Facility that have or will receive solid waste. No later than 30 calendar days after issuance of this license, the licensee shall submit to the Department for approval either verification that the restrictive covenants sufficiently address all applicable land areas accurately, or a revised restrictive covenant that addresses the entire Facility as described in the Solid Waste Disposal Area License application received by the Department on June 19, 1998.
16. This license shall remain in effect until its expiration date, unless revoked or continued in effect, as provided by 1969 PA 306, as amended, or unless superseded by the issuance of a subsequent license.

END OF LICENSE

ATTACHMENT A



PROJECT NO. 13-7818-01	LOCATION: WHITE LAKE LANDFILL WHITE HALL, MICHIGAN	TITLE SITE PLAN AND MONITOR WELL LOCATION MAP	DATE: 09-15-98
SCALE: AS SHOWN			SHEET 1 OF 1
DRAWN BY: KK	 NTH Consultants, Ltd. Professional Engineering & Environmental Services		PLATE NO: 2
CHECKED BY: KRW			